

**REMARKS**

Claims 1-24 are currently pending. The Examiner asserts that the current application represents two distinct and unrelated inventions:

- I. Claims 1-12, drawn to a DNA molecule comprising a nucleic acid comprising a deletion mutation of the budding mediating motif of a viral protein, a vector comprising the DNA, a composition comprising the vector, and a composition comprising the DNA, classified in class 435, subclass 6, or class 536, subclass 23.72.
- II. Claims 13-24, drawn to a method for immunizing a subject which comprises administering an immunizing effective amount of the DNA molecule, the vector, the composition of the vector, or the composition of DNA, with a recombinant protein or vector boost, classified in class 435, subclass 6 or 320.1.

Restriction Requirement (12/23/05), P. 2. The Examiner further asserts that the product as claimed can be used in a materially different process. Restriction Requirement (12/23/05), P. 2. Namely, that the DNA or vector can be used in a materially different process such as one in which the DNA or vector is used to transform a bacterial host cell for heterologous expression of the polypeptide. Restriction Requirement (12/23/05), P. 2-3.

Applicants hereby elect to proceed with claims 1-12, which are directed to a DNA molecule or vector.

Based upon the above election, Applicant respectfully requests reconsideration of this application and its early allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

EL:JWT

Respectfully submitted,

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